

As Engrossed: 4/6/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: *Joint Budget Committee***

A Bill

ACT 1262 OF 1993
HOUSE BILL 1942

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES OF
9 THE FIRE ANT POISON COST SHARING PROGRAM FOR THE STATE
10 PLANT BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE PLANT BOARD FIRE ANT APPROPRIATION."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. APPROPRIATIONS - FIRE ANT POISON COST SHARING PROGRAM. There
19 is hereby appropriated, to the State Plant Board, to be payable from the Plant
20 Board Fund, for operating expenses of the Fire Ant Poison Cost Sharing Program
21 by the State Plant Board, the sum of \$150,000 each fiscal year of the biennial
22 period ending June 30, 1995.

24 SECTION 2. FIRE ANT POISON COST SHARING PROGRAM. There is hereby
25 established a program to be known as the "Fire Ant Poison Cost Sharing
26 Program." This program shall be administered by the State Plant Board which
27 shall have the authority to establish the necessary rules, regulations and
28 procedures for the administration of the Program.

29 The State Plant Board shall purchase the necessary chemicals for the
30 eradication of fire ants and distribute such chemicals to the various counties
31 of the State based upon the requests received from eligible purchasers in the
32 county.

33 The chemicals made available by the State Plant Board shall become the
34 responsibility of the county judge who shall oversee the safe storage and
35 distribution of such chemicals under the direction of the University of
36 Arkansas Cooperative Extension Service.

1 It shall be the duty of the University of Arkansas Cooperative Extension
2 Service to collect monies received from the distribution and sale of such fire
3 ant poison chemicals as determined by the State Plant Board, and remit such
4 monies to the State Plant Board on a monthly basis.

5 The monies generated from the sale of fire ant poison chemicals and
6 received by the State Plant Board from the University of Arkansas Cooperative
7 Extension Services, shall be deposited into the State Treasury to the credit
8 of the Plant Board Fund as a non-revenue receipt refund to expenditure, there
9 to be used by the State Plant Board to purchase additional fire ant poison
10 chemicals for distribution to the various counties of the State for fire ant
11 control.

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13 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this Act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Purchasing Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal control
19 laws of this State, where applicable, and regulations promulgated by the
20 Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

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23 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this Act shall be in compliance with the stated reasons for which
26 this Act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

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32 SECTION 5. CODE. All provisions of this Act of a general and permanent
33 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
34 Code Revision Commission shall incorporate the same in the Code.

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1 SECTION 6. SEVERABILITY. If any provision of this Act or the
2 application thereof to any person or circumstance is held invalid, such
3 invalidity shall not affect other provisions or applications of the Act which
4 can be given effect without the invalid provision or application, and to this
5 end the provisions of this Act are declared to be severable.

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7 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
8 with this Act are hereby repealed.

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10 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
11 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
12 prohibits the appropriation of funds for more than a two (2) year period; that
13 the effectiveness of this Act on July 1, 1993 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 1993 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 1993.

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/s/John E. Miller

APPROVED: 4/20/93

